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AT SEATTLE  
CLERK U.S. DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
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UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

JESUS OCTAVIO RODRIGUEZ-PAYAN,  
a/k/a "Tavo," "Tavito,"

Defendant.

NO. CR17-233JLR

**SUPERSEDING INFORMATION**

The United States charges that:

**COUNT 1**

**(Conspiracy to Distribute Controlled Substances)**

Beginning at a time unknown, but within the past five years, and continuing until on or about September 20, 2017, in King and Snohomish Counties, within the Western District of Washington, and elsewhere, JESUS OCTAVIO RODRIGUEZ-PAYAN and others known and unknown, did knowingly and intentionally conspire to distribute substances controlled under Title 21, United States Code, Section 812, Schedules I and II, including heroin, cocaine, fentanyl, and methamphetamine, contrary to the provisions of Title 21, United States Code, Sections 841(a)(1).

1                                   **Specific Quantity Allegations as to Heroin**

2           With respect to Defendant JESUS OCTAVIO RODRIGUEZ-PAYAN, his  
3 conduct as a member of the conspiracy charged in Count 1, which includes the  
4 reasonably foreseeable conduct of other members of the conspiracy charged in Count 1,  
5 involved one kilogram or more of a substance containing a detectable amount of heroin,  
6 in violation of Title 21, United States Code, Section 841(b)(1)(A).

7                                   **Specific Quantity Allegations as to Methamphetamine**

8           With respect to Defendant JESUS OCTAVIO RODRIGUEZ-PAYAN, his  
9 conduct as a member of the conspiracy charged in Count 1, which includes the  
10 reasonably foreseeable conduct of other members of the conspiracy charged in Count 1,  
11 involved 50 grams or more of actual methamphetamine, and/or 500 grams or more of a  
12 mixture or substance containing a detectable amount of methamphetamine, in violation of  
13 Title 21, United States Code, Section 841(b)(1)(A).

14           All in violation of Title 21, United States Code, Section 846.

15                                   **COUNT 2**

16                                   **(Conspiracy to Commit Money Laundering)**

17           Beginning at a date unknown, but within the last five years, and continuing until  
18 on or about September 26, 2017, in the Western District of Washington, and elsewhere,  
19 JESUS OCTAVIO RODRIGUEZ-PAYAN, and others known and unknown, unlawfully  
20 and knowingly combined, conspired, confederated and agreed together and with each  
21 other to commit certain money laundering offenses under Title 18, United States Code,  
22 Sections 1956, as follows:

23                                   **(1956(a)(1))**

24           (1)   Did conduct and attempt to conduct financial transactions, that is:  
25 transactions involving the movement of funds by wire and other means affecting  
26 interstate and foreign commerce, and transactions involving the use of a financial  
27 institution which is engaged in and affects interstate and foreign commerce, which in fact

1 involved the proceeds of specified unlawful activity, that is, conspiracy to distribute  
2 controlled substances, in violation of Title 21, United States Code, Sections 841(a)(1),  
3 and 846, knowing that the property involved in the financial transactions represents the  
4 proceeds of some form of unlawful activity:

5 (A) knowing that the transactions are designed in whole or in part –

6 (i) to conceal and disguise the nature, the location, the source,  
7 the ownership, and the control of the proceeds of the specified unlawful activity, in  
8 violation of Title 18, United States Code, Section 1956(a)(1)(B)(i); and

9 (ii) to avoid a transaction reporting requirement under State and  
10 Federal law, in violation of Title 18, United States Code, Section 1956(a)(1)(B)(ii); and

11 (1956(a)(2))

12 (2) Did transport, transmit, and transfer, and attempt to transport, transmit, and  
13 transfer a monetary instrument and funds from a place in the United States to and through  
14 a place outside the United States –

15 (A) knowing that the monetary instrument and funds involved in the  
16 transportation, transmission, and transfer represent the proceeds of some form of  
17 unlawful activity that is, conspiracy to distribute controlled substances, in violation of  
18 Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A), and 846, and knowing  
19 that such transportation, transmission, and transfer is designed in whole or in part –

20 (i) to conceal and disguise the nature, the location, the source,  
21 the ownership, and the control of the proceeds of specified unlawful activity, in violation  
22 of Title 18, United States Code, Section 1956(a)(2)(B)(i); and

23 (ii) to avoid a transaction reporting requirement under State and  
24 Federal law, in violation of Title 18, United States Code, Section 1956(a)(2)(B)(ii).

25 The United States further alleges that this offense was committed during and in  
26 furtherance of the conspiracy charged in Count 1 above.

27 All in violation of Title 18, United States Code, Section 1956(h).

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The allegations contained in Count 1 of this Superseding Information are hereby realleged and incorporated by reference for purpose of alleging forfeitures pursuant to Title 21, United States Code, Section 853.

- (1) \$4,559 in U.S. currency that was seized from the Defendant's residence in Mountlake Terrace, Washington on September 26, 2017; and,
- (2) \$44,880 in U.S. currency that was seized from co-Defendant Jorge Ulloa-Sarmiento's residence in Everett, Washington on September 26, 2017.

The allegations contained in Count 2 of this Superseding Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 982(a)(1).

- (1) \$4,559 in U.S. currency that was seized from the Defendant's residence in Mountlake Terrace, Washington on September 26, 2017; and,
- (2) \$44,880 in U.S. currency that was seized from co-Defendant Jorge Ulloa-Sarmiento's residence in Everett, Washington on September 26, 2017.

**Substitute Assets**


If any of the above described forfeitable property, as a result of any act or omission of the Defendant,

1. cannot be located upon the exercise of due diligence;
2. has been transferred or sold to, or deposited with, a third party;
3. has been placed beyond the jurisdiction of the Court;
4. has been substantially diminished in value; or
5. has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek the forfeiture of any other property of the Defendants up to the value of the above-described forfeitable property.

DATED the 27 th day of September, 2019

  
BRIAN T. MORAN  
United States Attorney

  
KARYN S. JOHNSON  
Assistant United States Attorney

  
NICHOLAS MANHEIM  
Assistant United States Attorney